



Federal Register

3-16-04

Vol. 69 No. 51

Tuesday

Mar. 16, 2004

Pages 12265-12538



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, www.archives.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.access.gpo.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via email at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$699, or \$764 for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 40% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 69 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list

Then follow the instructions.

What's NEW!

Regulations.gov, the award-winning Federal eRulemaking Portal

Regulations.gov is the one-stop U.S. Government web site that makes it easy to participate in the regulatory process.

Try this fast and reliable resource to find all rules published in the **Federal Register** that are currently open for public comment. Submit comments to agencies by filling out a simple web form, or use available email addresses and web sites.

The Regulations.gov e-democracy initiative is brought to you by NARA, GPO, EPA and their eRulemaking partners.

Visit the web site at: <http://www.regulations.gov>



Contents

Federal Register

Vol. 69, No. 51

Tuesday, March 16, 2004

Administration Office, Executive Office of the President

NOTICES

Privacy Act:

Systems of records, 12326–12328

Agricultural Marketing Service

NOTICES

Committees; establishment, renewal, termination, etc.:

National Organic Standards Board, 12298–12299

Greenhouse tomatoes; grade standards, 12299

Agriculture Department

See Agricultural Marketing Service

See Animal and Plant Health Inspection Service

See Forest Service

NOTICES

Meetings:

National Agricultural Research, Extension, Education,
and Economics Advisory Board, 12298

Animal and Plant Health Inspection Service

RULES

Plant Protection Act; authority citations revised; technical
amendment, 12265

Army Department

NOTICES

Environmental statements; availability, etc.:

Joint Readiness Training Center and Fort Polk and
Kisatchie National Forest lands, LA; 2d Armored
Calvary Regiment, 12304–12305

Centers for Disease Control and Prevention

NOTICES

Meetings:

National Institute for Occupational Safety and Health—
Titanium dioxide; occupational exposure; health risks,
12330–12331

Citizenship and Immigration Services Bureau

NOTICES

Immigration:

Petitions regarding H-2B for temporary nonimmigrant
workers no longer acceptable; numerical limitation
for FY 2004, 12340–12341

Coast Guard

NOTICES

Meetings:

National Boating Safety Advisory Council, 12341

Commerce Department

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

Customs and Border Protection Bureau

RULES

Merchandise, special classes:

Import restrictions—

Honduras; archaeological material, 12267–12271

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 12342

Defense Department

See Army Department

NOTICES

Committees; establishment, renewal, termination, etc.:

Historical Advisory Committee, 12303

National Defense University Board of Visitors et al.,
12303

Education Department

RULES

Postsecondary education:

Institutional eligibility for Federal funds, 12274–12277

Employment and Training Administration

NOTICES

Adjustment assistance:

Auburn Foundry, 12349

Cordis Corp., 12349

Dack Industries, 12351

Dexter Shoe Co., 12349

Duraw Manufacturing of Mississippi, Inc., 12350

Eighth Floor Promotions, 12350

Fleetguard, Inc., 12350

Hamilton Collection, 12350

Kwikset, 12349

Lucent Technologies, Inc., 12350

Maxxim Medical, Inc., 12350–12351

National Textiles, 12351

Phillips Plastics Corp., 12351

R&R Hosiery Partner, 12351

Shape Global Technology, 12351–12352

Stitches Manufacturing, Inc., 12352

Textron Fastening Systems, 12352

Timken Co., 12352

Union Tools, Inc., 12352–12353

Universal Aerospace Co., Inc., 12353

Energy Department

See Energy Information Administration

See Federal Energy Regulatory Commission

NOTICES

Environmental statements; availability, etc.:

Logan County, IL; low-emission boiler system proof-of-
concept project; hearing, 12305–12306

Paducah Gaseous Diffusion Plant, KY; waste disposition
activities, 12306

Meetings:

Environmental Management Site-Specific Advisory
Board—

Chairs, 12306–12307

Fernald Site, OH, 12307

Energy Information Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 12307–12308

Environmental Protection Agency**PROPOSED RULES**

Air pollutants, hazardous; national emission standards; and air pollution; standards of performance for new stationary sources:

Electric utility steam generating units, 12397–12472

Air quality implementation plans; approval and promulgation; various States:

Pennsylvania, 12292–12296

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 12323–12324

Committees; establishment, renewal, termination, etc.:

World Trade Center Towers collapse impacts, related issues; technical panel formation and meeting, 12324–12326

Executive Office of the President

See Administration Office, Executive Office of the President

Federal Aviation Administration**RULES**

Airworthiness standards:

Transport category airplanes—

Electrical equipment and installations, storage battery installations; electronic equipment; and electrical system components fire protection, 12525–12530

Federal Communications Commission**RULES**

Radio stations; table of assignments:

Michigan, 12277

Ohio, 12277–12278

South Dakota and Iowa, 12277

PROPOSED RULES

Radio stations; table of assignments:

Georgia, 12296

Kentucky, 12296–12297

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 12328–12329

Federal Deposit Insurance Corporation**NOTICES**

Meetings; Sunshine Act, 12329–12330

Federal Energy Regulatory Commission**NOTICES**

Electric rate and corporate regulation filings, 12312–12316

Environmental statements; availability, etc.:

Consolidated Water Power Co., 12316

Northern States Power Co. (Xcel Energy), 12316

Hydroelectric applications, 12316–12322

Off-the-record communications, 12322–12323

Preliminary permits surrender:

Energy Recycling Co., 12308

Symbiotics, LLC, et al., 12322

Applications, hearings, determinations, etc.:

Eastern Shore Natural Gas Co., 12308

Equitrans, L.P., 12308–12309

Gulfstream Natural Gas System, L.L.C., 12309

Idaho Power Co., 12322

KO Transmission Co., 12309–12310

Northern Border Pipeline Co., 12310

Northern Natural Gas Co., 12310

Northwest Pipeline Corp., 12310–12311

San Diego Gas & Electric Co., 12311

Tennessee Gas Pipeline Co., 12311

Trunkline LNG Co., LLC, 12311–12312

Federal Railroad Administration**RULES**

Railroad locomotive safety standards:

Headlights and auxiliary lights, 12531–12538

Federal Reserve System**NOTICES**

Banks and bank holding companies:

Change in bank control, 12330

Formations, acquisitions, and mergers, 12330

Fish and Wildlife Service**RULES**

Endangered and threatened species:

Critical habitat designations—

Desert yellowhead, 12278–12290

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 12343–12344

Comprehensive conservation plans; availability, etc.:

D'Arbonne National Wildlife Refuge, LA, 12344

Endangered and threatened species permit applications, 12344–12345

Food and Drug Administration**RULES**

Animal drugs, feeds, and related products:

Trenbolone and estradiol, 12271

Medical devices:

Hematology and pathology devices—

Factor V Leiden DNA mutation detection systems devices classification, 12271–12273

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 12331–12337

Reports and guidance documents; availability, etc.:

Medical devices—

Factor V Leiden DNA mutation detection systems; Class II special controls, 12337–12338

Foreign-Trade Zones Board**NOTICES**

Applications, hearings, determinations, etc.:

Illinois

Rockwell Automation, Inc., 12300

Massachusetts

Hazen Paper Co., 12300–12301

New Jersey, 12301

North Carolina

Siemens Westinghouse Power Corp., 12301–12302

Forest Service**NOTICES**

Meetings:

Resource Advisory Committees—

Ravalli County, 12299–12300

General Services Administration**NOTICES**

Acquisition regulations:

Application for Service Credit (OF 141); form cancellation, 12330

Health and Human Services Department

See Centers for Disease Control and Prevention

See Food and Drug Administration
See Health Resources and Services Administration

Health Resources and Services Administration

NOTICES

Grants and cooperative agreements; availability, etc.:
Human immunodeficiency virus (HIV)—
Primary care settings; buprenorphine opiod abuse
treatment; innovative integration methods
evaluation, 12338–12340

Homeland Security Department

See Citizenship and Immigration Services Bureau
See Coast Guard
See Customs and Border Protection Bureau

Housing and Urban Development Department

NOTICES

Organization, functions, and authority delegations:
Assistant Secretary for Housing-Federal Housing
Commissioner, 12342–12343
Public and Indian housing:
Public Housing Assessment System—
Physical condition scoring methodologies; Dictionary
of Deficiency Definitions, changes, 12473–12523

Interior Department

See Fish and Wildlife Service
See Minerals Management Service
See Reclamation Bureau

Internal Revenue Service

PROPOSED RULES

Income taxes:
Employees of 501(c)(3) organizations in 401(k) and
401(m) plans; exclusion, 12291–12292

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 12393–12394
Meetings:
Art Advisory Panel, 12394

International Trade Administration

NOTICES

Antidumping:
Petroleum wax candles from—
China, 12302

International Trade Commission

NOTICES

Import investigations:
Gun barrels used in firearms training systems, 12346–
12347
Live swine from—
Canada, 12347–12348

Labor Department

See Employment and Training Administration
See Occupational Safety and Health Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 12348–12349

Minerals Management Service

NOTICES

Meetings:
Outer Continental Shelf Scientific Committee, 12345–
12346

National Credit Union Administration

RULES

Reporting and recordkeeping requirements, 12265–12267

National Highway Traffic Safety Administration

NOTICES

Motor vehicle safety standards; exemption petitions, etc.:
Accuride Corp., 12392

National Oceanic and Atmospheric Administration

NOTICES

Fishery conservation and management:
West Coast States and Western Pacific fisheries—
Western Pacific crustacean, 12303

National Science Foundation

NOTICES

Meetings; Sunshine Act, 12356–12357

Nuclear Regulatory Commission

NOTICES

Environmental statements; availability, etc.:
Pfizer Inc., 12360–12361
Meetings; Sunshine Act, 12361
Operating licenses, amendments; no significant hazards
considerations; biweekly notices, 12361–12376
Applications, hearings, determinations, etc.:
FirstEnergy Nuclear Operating Co., 12357–12360

Occupational Safety and Health Administration

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 12353–12356

Peace Corps

RULES

Organization; CFR part removed, 12273–12274

Reclamation Bureau

NOTICES

Meetings:
Glen Canyon Dam Adaptive Management Work Group,
12346

Securities and Exchange Commission

NOTICES

Options Price Reporting Authority:
Device-based and enterprise rate professional subscriber
fees; Basic and FCO Service; amendment, 12377–
12379
Public Utility Holding Company Act of 1935 filings, 12379–
12386
Self-regulatory organizations; proposed rule changes:
National Association of Securities Dealers, Inc., 12386–
12390
Pacific Exchange, Inc., 12390–12391

Small Business Administration

NOTICES

Disaster loan areas:
Oregon, 12391

State Department

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 12391
Meetings:
Cultural Diplomacy Advisory Committee, 12391–12392

Surface Transportation Board**NOTICES**

Railroad services abandonment:

Florida West Coast Railroad Co., Inc., 12392–12393

Transportation Department

See Federal Aviation Administration

See Federal Railroad Administration

See National Highway Traffic Safety Administration

See Surface Transportation Board

Treasury Department

See Internal Revenue Service

RULES

Merchandise, special classes:

Import restrictions—

Honduras; archaeological material, 12267–12271

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 12393

Veterans Affairs Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 12394–12395

Separate Parts In This Issue**Part II**

Environmental Protection Agency, 12397–12472

Part III

Housing and Urban Development Department, 12473–12523

Part IV

Transportation Department, Federal Aviation Administration, 12525–12530

Part V

Transportation Department, Federal Railroad Administration, 12531–12538

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list

archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR

330 12265

12 CFR

795 12265

14 CFR

25 12526

19 CFR

12 12267

21 CFR

522 12271

864 12271

22 CFR

302 12273

26 CFR**Proposed Rules:**

1 12291

34 CFR

600 12274

649 12274

668 12274

674 12274

675 12274

676 12274

682 12274

685 12274

690 12274

693 12274

40 CFR**Proposed Rules:**

52 12293

60 12398

72 12398

75 12398

47 CFR

73 (3 documents) 12277

Proposed Rules:

73 (2 documents) 12296

49 CFR

229 12532

50 CFR

17 12278